

**HUNTINGTON BEACH
OFFICE OF THE ZONING ADMINISTRATOR
EXECUTIVE SUMMARY**

TO: Zoning Administrator
FROM: Jill Arabe, Assistant Planner
DATE: November 4, 2009

SUBJECT: **CONDITIONAL USE PERMIT NO. 2009-015 (T-MOBILE WIRELESS COMMUNICATIONS FACILITY)**

LOCATION: 6666 Heil Avenue, 92647 (south side of Heil Avenue, east of Edwards Street)

Applicant: Monica Moretta, Sequoia Deployment Services, Inc., One Venture, Suite 200, Irvine, CA 92618

Property Owner: Duane Hurtado, Community United Methodist Church of Huntington Beach, 18700 Beach Blvd., Suite 260, Huntington Beach, CA 92648

Request: To permit the construction of a 55 ft. high wireless communications facility designed as a palm tree "monopalm" with 12 panel antennas and one (1) GPS antenna, including associated equipment surrounded by a 7 ft. 6 in. high blockwall. The request includes the relocation of a 5 ft. high block wall trash enclosure.

Environmental Status: This request is covered by Categorical Exemption, Section 15301, Class 1, California Environmental Quality Act.

Zone: RL – FP2 (Residential Low Density – Floodplain 2)

General Plan: P (RL) – Church

Existing Use: Church/preschool

RECOMMENDATION: Staff recommends approval of the proposed project based upon the following findings:

SUGGESTED FINDINGS FOR PROJECTS EXEMPT FROM CEQA:

The Zoning Administrator finds that the project will not have any significant effect on the environment and is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to section 15301 of the CEQA Guidelines, because the project consists of the minor alteration of an existing structure, involving no expansion of the existing church use.

SUGGESTED FINDINGS FOR APPROVAL - CONDITIONAL USE PERMIT NO. 2009-015:

1. Conditional Use Permit No. 2009-015 for the establishment, maintenance and operation of a 55 ft. high wireless communications facility disguised as a bell tower with six (6) panel antennas and one (1) GPS antenna, including completely stealth associated equipment will not be detrimental to the general welfare of persons working or residing in the vicinity or detrimental to the value of the property and improvements in the neighborhood. The proposed facility will replace an existing 52 ft. high bell tower with a new bell tower structure. The structure will be setback more than 125 ft. from the adjacent residences located to the south, east, and west of the site. The design of the tower will disguise the associated antennas from public view. The project will not generate noise, traffic, or demand for additional parking above that which already exists on the subject site. As a condition of approval, the wireless communication equipment will be underground. The proposed height will enhance wireless communications in the community by improving signal transmission and reception in the project vicinity.
2. The conditional use permit will be compatible with surrounding uses because the wireless communications facility and support structure will be designed as a bell tower to blend into the surrounding environment including the existing church located on site. The project involves the replacement of a bell tower with a tower of similar height and at an identical location onsite. The bell within the tower will be operational. The antennas will not be visible from public view as they will be concealed within the tower structure. All associated equipment, as conditioned, will be underground to further eliminate visual impacts of the wireless communications facility along Heil Avenue and on the property.
3. The proposed conditional use permit will comply with the provisions of the base district and other applicable provisions in Titles 20-25 of the Huntington Beach Zoning and Subdivision Ordinance. Wireless communication facilities are permitted to exceed the maximum height of 35 ft. of the base zoning district with approval of a conditional use permit.
4. The granting of the conditional use permit will not adversely affect the General Plan. It is consistent with the Land Use Element designation of Public on the subject property. In addition, it is consistent with the following goals and policies of the General Plan:

A. Land Use Element

Goal - LU 2: Ensure that development is adequately served by transportation infrastructure, utility infrastructure, and public services.

Policy LU 2.1.1: Plan and construct public infrastructure and service improvements as demand necessitates to support the land uses specified in the Land Use Plan (as defined in the Circulation and Public Utilities and Services Elements of the General Plan).

B. Utility Element

Policy U 5.1: Ensure that adequate natural gas, telecommunication and electrical systems are provided.

Policy U 5.1.1: Continue to work with service providers to maintain current levels of service and facilitate improved levels of service.

The proposed facility will enhance wireless communications in the community by improving signal transmission and reception in the project vicinity. In addition, the

proposed completely stealth facility is designed as a bell tower and will replace the existing bell tower onsite. The location of associated equipment will be underground so as to eliminate any visual impacts to surrounding uses. As conditioned, the project will have minimal visual impacts because the wireless communications equipment will be underground and the new bell tower will match the previous.

SUGGESTED CONDITIONS OF APPROVAL - CONDITIONAL USE PERMIT NO. 2009-015:

1. The photo simulations dated October 27, 2009 and site plans and elevations dated October 28, 2009, shall be the conceptually approved design.
2. All associated equipment to the wireless communications facility shall be underground.
3. The existing trash enclosure shall not be relocated and the existing block wall enclosure shall not be removed.
4. Incorporating sustainable or "green" building practices into the design of the proposed structures and associated site improvements is highly encouraged. Sustainable building practices may include (but are not limited to) those recommended by the U.S. Green Building Council's Leadership in Energy and Environmental Design (LEED) Program certification (<http://www.usgbc.org/DisplayPage.aspx?CategoryID=19>) or Build It Green's Green Building Guidelines and Rating Systems (<http://www.builditgreen.org/index.cfm?fuseaction=guidelines>).

INDEMNIFICATION AND HOLD HARMLESS CONDITION:

The owner of the property which is the subject of this project and the project applicant if different from the property owner, and each of their heirs, successors and assigns, shall defend, indemnify and hold harmless the City of Huntington Beach and its agents, officers, and employees from any claim, action or proceedings, liability cost, including attorney's fees and costs against the City or its agents, officers or employees, to attack, set aside, void or annul any approval of the City, including but not limited to any approval granted by the City Council, Planning Commission, or Design Review Board concerning this project. The City shall promptly notify the applicant of any claim, action or proceeding and should cooperate fully in the defense thereof.